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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO. 31 OF 2006

Office Notes, Office Memoranda of : coram, appearances, Court's Orders: or directions and Registrar Orders:	Court's or Judge's orders

Ms. I. Koparkar i/b N.P. Deshpande for the Petitioner.

Mr.S.A. Abhyankar for Respondent No.1.

CORAM : H.L. GOKHALE, ACG. CJ.

DATE : 2ND MARCH 2007

P.C. :

1. Heard Ms.Koparkar for the Petitioner and Mr.Abhyankar for Respondent No.1.

2. The matter was heard on an earlier date when Mr.Deshpande represented the Petitioner. Having gone through the papers on record, it was clear that the prayers in the petition are essentially referable to section 9 of the Arbitration and Conciliation Act, 1996 and, therefore, for appropriate interim orders and not for appointment of an Arbitrator as such. Besides, on

the dispute between the parties, the Respondents had placed on record a Deed of Dissolution of the firm and also that appropriate payments have been made by the Respondents in accordance therewith. Ms.Koparkar, states that the Petitioner disputes having signed any documents. In any case, the position is clear that the prayers in the petition are not those under section 11 of the Act. In spite of this position, the matter was adjourned for parties to arrive at an amicable settlement since they are closely related. Having given time, for some reason or the other, there is no response from the Respondents. This being the position, there is no reason to maintain this petition any further. The same stands dismissed.

ACG. CHIEF JUSTICE